

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

CHAMBERS OF  
ANDRE M. DAVIS  
UNITED STATES DISTRICT JUDGE

U.S. COURTHOUSE  
101 W. LOMBARD STREET  
BALTIMORE, MARYLAND 21201  
(410) 962-0801  
FAX (410) 962-0820  
MDDAMDChambers@mdd.uscourts.gov

June 5, 2007

MEMORANDUM TO COUNSEL RE:

Frame v. Wicker  
Civil No. AMD 07-1183

I have reviewed defendant's opposition to the motion to remand. It is plain, as defendant concedes, that the Notice of Removal was not filed within the time allowed by 28 U.S.C. § 1441. Defendant's assertion that the statutory time limit can be modified by reliance on time deadlines set forth in state rules of procedure lacks merit. *See, e.g., Neighborhood Development Collaborative v. Ginsberg*, 2003 WL 23941712, \*1 (D.Md. Sept. 2, 2003), *aff'd*, 2004 WL 1663822 (4th Cir. July 22, 2004), *cert. denied*, 543 U.S. 1052 (2005).

For the reasons set forth, the motion to remand shall be granted. An order follows.

Very truly yours,

/s/

Andre M. Davis  
United States District Judge

AMD:tt